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10/718,687	11/24/2003	Takaaki Nishi	2003_1668A	1276

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EXAMINER	
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ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/718,687	NISHI ET AL.	
	Examiner	Art Unit	
	Negussie Worku	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 November 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *24 November 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *See attachment*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This is a replay to the application filed on November 11/24/03, in which, claims 1-27, are pending. Claims 1, 12, 23 and 27m are independent, and claims 2-11, 13-22, 25-26 are dependent.

Priority

2. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 03/06/06, have been reviewed. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner is considering the information disclosure statement.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-27 rejected under 35 U.S.C. 102(b) as being anticipated by Koike et al. (USP 6,181,895).

With respect to claim 1, Koike et al., teaches an image processing method (a factional block diagram illustrating the process and constriction of system, as shown in fig 1) comprising: establishing an inseparable relation between an ornament and arrangement information of the ornament in a body part area (to establish a relation between human face and an object for further processing and constriction of image, see description of fig 1, col.3, lines 35-45); setting a location of the body part area in an input image (image input section, which is a camera 101 captures the image and output to image cut out section 102, has an image buffer for holding an image of one frame, col.3, lines 55-60); setting an arrangement of the ornament so as to fit with the set location of the body part area using the arrangement information related to the ornament (see description fig 1, col.38-50, where a matching process is performed, in matching section 106 of fig 1); composing the ornament (recognized object, col.3, lines 43-46) and the input image to generate an ornament-arranged output image, and outputting the ornament-arranged output image (image inputted by input section camera 101 of fig 1, and inputted to cut out section 102, a feature point detection section 103 and to storage section 104 of fig 1, as discussed col.3, lines 45-55).

With respect to claim 2, Koike et al., teaches an image processing method (a factional block diagram illustrating the process and constriction of system, as shown in

fig 1), further comprising: setting a size of the body part area in the input image (image input section, which is a camera 101 captures the image and output to image cut out section 102, has an image buffer for holding an image of one frame, col.3, lines 55-60); and fitting the ornament to the input image in size, based on the set size of the body part area (col.3, lines 54-59).

With respect to claim 3, Koike et al., teaches an image processing method (a factional block diagram illustrating the process and constriction of system, as shown in fig 1), wherein the ornament is treated in a form of an image file (an object captured by camera 101 [could be an ornament] stored in a storage 104 of fig 1, as image file) and the arrangement information of the ornament in the body part area is included in attribute information of the image file (col.2, lines 40-45).

With respect to claim 4, Koike et al., teaches an image processing method (a factional block diagram illustrating the process and constriction of image generating section, as shown in fig 1), wherein the attribute information is placed in an extended region of the image file (col.6, lines 10-15).

With respect to claim 5, Koike et al., teaches an image processing method (a factional block diagram illustrating the process and constriction of system, as shown in fig 1), wherein the ornament is treated in a form of an image file and the arrangement information of the ornament in the body part area is included in a name of the image file

(an object captured by camera 101 [could be an ornament] stored in a storage 104 of fig 1, as image file).

With respect to claim 6, Koike et al., teaches an image processing method (a factional block diagram illustrating the process and constriction of system, as shown in fig 1), wherein the ornament is treated in a form of an image file and the arrangement information of the ornament in the body part area is included in another file inseparably related to the image file (an object captured by camera 101 [could be an ornament] stored in a storage 104 of fig 1, as image file).

With respect to claim 7, Koike et al., teaches an image processing method (a factional block diagram illustrating the process and constriction of system, as shown in fig 1), wherein the arrangement information of the ornament in the body part area includes information of an ornament reference point (an object captured by camera 101 [could be an ornament] stored in a storage 104 of fig 1, as image file).

With respect to claim 8, Koike et al., teaches an image processing method (a factional block diagram illustrating the process and constriction of system, as shown in fig 1), wherein the arrangement information of the ornament (an object captured by camera 101 [could be an ornament] stored in a storage 104 of fig 1, as image file) in the body part area includes scaling information defining a relation between the size of the body part area and a size of the ornament (image input section, which is a camera 101

captures the image and output to image cut out section 102, has an image buffer for holding an image of one frame, col.3, lines 55-60).

With respect to claim 9, Koike et al., teaches an image processing method (a factional block diagram illustrating the process and constriction of system, as shown in fig 1), wherein the body part area is a face area of a person photographic object (image input section, which is a camera 101 captures the image and output to image cut out section 102, has an image buffer for holding an image of one frame, col.3, lines 55-60).

With respect to claim 10, Koike et al., teaches an image processing method (a factional block diagram illustrating the process and constriction of system, as shown in fig 1), wherein the ornament reference point is one of an upper left corner point, an upper side middle point, an upper right corner point, a left side middle point, a central point, a center of gravity, a right side middle point, a lower left corner point, a lower side middle point, and a lower right corner point (see the description of fig 1, at col.4, lines 20-30)

With respect to claim 11, Koike et al., teaches an image processing method (a factional block diagram illustrating the process and constriction of system, as shown in fig 1), wherein the ornament is at least one of an image expressing personal feelings and an image expressing personal belongings (as the prior art applicable to recognition

object and human faces, it express personal feelings an image expressing personal belongings, col.3, lines 43-46).

With respect to claim 12, Koike et al., teaches an image processing method (a factional block diagram illustrating the process and constriction of system, as shown in fig 1) comprising: storing a frame image having a frame to compose a body part area, (image storage 104 of fig 1, readout image stored therein and output it, col.4, lines 35-39), setting a location of and a size of the body part area in an input image (image input section, which is a camera 101 captures the image and output to image cut out section 102, has an image buffer for holding an image of one frame, col.3, lines 55-60); and outputting a composite image obtained by composing an image of the body part area and the frame of the frame image, (recognized object, col.3, lines 43-46, image inputted by input section camera 101 of fig 1, and inputted to cut out section 102, a feature point detection section 103 and to storage section 104 of fig 1, as discussed col.3, lines 45-55).

With respect to claim 13, Koike et al., teaches an image processing method (a factional block diagram illustrating the process and constriction of system, as shown in fig 1), further comprising fitting the location and the size-set image of the body part area to the frame in size (image inputted by input section camera 101 of fig 1, and inputted to cut out section 102, a feature point detection section 103 to detect size and to storage section 104 of fig 1, as discussed col.3, lines 45-55).

With respect to claim 14, Koike et al., teaches an image processing method (a factional block diagram illustrating the process and constriction of system, as shown in fig 1), wherein the frame image is treated in a form of an image file and arrangement information of the frame in the frame image is included in attribute information of the image file (image inputted by input section camera 101 of fig 1, and inputted to cut out section 102, a feature point detection section 103 and to storage section 104 of fig 1, as discussed col.3, lines 45-55).

With respect to claim 15, Koike et al., teaches an image processing method (a factional block diagram illustrating the process and constriction of system, as shown in fig 1), wherein the attribute information is placed in an extended region of the image file, (see description fig 1).

With respect to claim 16, Koike et al., teaches an image processing method (a factional block diagram illustrating the process and constriction of system, as shown in fig 1), wherein the frame image is treated in a form of an image file (image storage section 104 of fig 1, contain a library as a form of image file, col.3, lines 50-55), and arrangement information of the frame in the frame image is included in a file name of the image file (it is inherent to include a file name for the image stored in a storage,104 of fig 1, col.3, lines 60-65).

With respect to claim 17, Koike et al., teaches an image processing method (a factional block diagram illustrating the process and constriction of system, as shown in fig 1), wherein the frame image is treated in a form of an image file (image storage section 104 of fig 1, contain a library as a form of image file, col.3, lines 50-55), and arrangement information of the frame is included in another file inseparably related to the image file (output section 102 of fig 1, has an image buffer for holding an image of one frame, which is related to image file, col.3, lines 60-65).

With respect to claim 18, Koike et al., teaches an image processing method (a factional block diagram illustrating the process and constriction of system, as shown in fig 1), wherein arrangement information of the frame in the frame image includes information of a frame reference point, (image storage section 104 of fig 1, contain a library as a form of image file, which used for reference col.3, lines 50-55).

With respect to claim 19, Koike et al., teaches an image processing method (a factional block diagram illustrating the process and constriction of system, as shown in fig 1) wherein arrangement information of the frame in the frame image includes magnification information defining a relation between the size of the body part area and a size of the frame (an object captured by camera 101 [could be an ornament] stored in a storage 104 of fig 1, as image file).

With respect to claim 20, Koike et al., teaches an image processing method (a factional block diagram illustrating the process and constriction of system, as shown in fig 1), wherein the body part area is a face area of a person photographic object (an object captured by camera 101 [could be an ornament or a picture of human faces] stored in a storage 104 of fig 1, as image file).

With respect to claim 21, Koike et al., teaches an image processing method (a factional block diagram illustrating the process and constriction of system, as shown in fig 1), wherein the frame reference point is one of an upper left corner point, an upper side middle point, an upper right comer point, a left side middle point, a central point, a center of gravity, a right side middle point, a lower left comer point, a lower side middle point, and a lower right comer point (see the description of fig 1, at col.4, lines 20-30).

With respect to claim 22, Koike et al., teaches an image processing method (a factional block diagram illustrating the process and constriction of system, as shown in fig 1), wherein the frame image is at least one of an image expressing personal feelings and an image expressing personal belongings (an object captured by camera 101 [could be an ornament] stored in a storage 104 of fig 1, as image file).

With respect to claim 23, Koike et al., teaches an image processing method (a factional block diagram illustrating the process and constriction of system, as shown in fig 1) comprising: an image storing unit (storage 104 of fig 1, for storing image inputted

by input section 101 of fig 1) operable to store an input image (col.4, lines 10-15); a template storing unit (cut out section has an image buffer for storing image data of one frame) operable to store at least one template of a body part area (col. 3 lines 60-54); a detecting unit (the feature point detection section 103, serves to detect item such that eye, face etc., col.4, lines 1-15) operable to detect a location of and a size of the body part area out of the input image stored in said image storing unit (image storage unit 104 of fig 1), said detecting unit (detecting unit 103 detect col.4, lines 1-5) using the at least one template of the body part area stored in said template storing unit (104 of fig 1); an ornament information storing unit (storage 104 of fig 1, serves storing object or an image taken by image capture unit 101 of fig 1) operable to store ornament information of an ornament having a reference point (an object captured by camera 101 [could be an ornament] stored in a storage 104 of fig 1, as image file col.4, lines 1-10); and an image composition unit (106 of fig 1, col.38-50, where the composing process is performed, in matching section 106 of fig 1) operable to scale the ornament in accordance with the size of the body part area detected by said detecting unit, (see description fig 1, col.38-50, where a matching process is performed, in matching section 106 of fig 10) said image composition unit (106 of fig 1) operable to locate a reference point of the scaled ornament so as to fit with a position of the body part area detected by said detecting unit, (object data detection section 109 of fig 1) and said image composition unit (matching section 106 of fig 1) further operable to compose the scaled ornament and the input image stored in said image storing unit (a matching region cut

out of the thus transformed image data stored in image storage 133 of fig 18, col.13, lines 60-65).

With respect to claim 24, Koike et al., teaches an image processing method (a factional block diagram illustrating the process and constriction of system, as shown in fig 1), wherein the body part area is a face area of a person photographic object (an object captured by camera 101 [could be an ornament] stored in a storage 104 of fig 1, as image file col.4, lines 1-10).

With respect to claim 25, Koike et al., teaches an image processing method (a factional block diagram illustrating the process and constriction of system, as shown in fig 1), wherein the ornament reference point is one of an upper left corner point, an upper side middle point, an upper right corner point, a left side middle point, a central point, a center of gravity, a right side middle point, a lower left corner point, a lower side middle point, and a lower right corner point (see the description of fig 1, at col.4, lines 20-30).

With respect to claim 26, Koike et al., teaches an image processing method (a factional block diagram illustrating the process and constriction of system, as shown in fig 1), wherein the ornament is at least one of an image expressing personal feelings and an image expressing personal belongings (as the prior art applicable to recognition

object and human faces, it express personal feelings an image expressing personal belongings, col.3, lines 43-46).

With respect to claim 27, Koike et al., teaches an image processing method (a factional block diagram illustrating the process and constriction of system, as shown in fig 1) comprising: an image storing unit (storage 104 of fig 1, stores the predetermined feature items such as –col.4, lines 1-15) operable to store an input image (image inputted from image input section 101, which is a camera, see description of fig 1, col.4, line 1-5); a template storing unit (region cut-out section 102 of fig 1, has an image buffer for holding of an image of one frame, col.3, lines 55-60) operable to store at least one template of a face part area (col.4, lines 1-5); a detecting unit (feature detecting unit 103 of fig 1, serves to detect predetermined feature points such as facial such as, eye, mouth from facial image, col.4, line 1-15) operable to detect a location of and a size of a face part out of the input image stored in said image storing unit, (storage 104 of fig 1) said detecting unit (feature point detection unit 103 of fig 1) using the at least one template of the face part area stored in said template storing unit (region cut-out section 102 of fig 1, has an image buffer for holding of an image of one frame, col.3, lines 55-60); a frame image storing unit (region cut-out section 102 of fig 1, has an image buffer for holding of an image of one frame, col.3, lines 53-59) operable to store a frame image having a frame into which an image of the face part is to be inserted, and an image composition unit operable to scale the image of the face part detected by said detecting unit (103 of fig 1) in accordance with a size of the frame, and said image composition

unit (matching section 106 of fig 1) further operable to output a composite image after inserting the image of the face part detected by said detecting unit (detecting section 103 of fig 1) into the frame of the frame image (image storage 104 of fig 1, readout image stored therein and output it, col.4, lines 35-39).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Negussie Worku whose telephone number is 571-272-7472. The examiner can normally be reached on 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Aung Moe can be reached on 571-272-7314. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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09/18/07

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